

**ENTERED**

May 24, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CHARLTON REED TIPTON,	§
	§
Plaintiff,	§
VS.	§ CIVIL ACTION NO. 2:21-CV-101
	§
BOBBY LUMPKIN,	§
	§
Defendant.	§

**OPINION AND ORDER OF TRANSFER**

This is a civil action filed by a Texas state prisoner. Plaintiff Charlton Tipton is currently incarcerated at the John B. Connally Unit in Kenedy, Texas, which is located in Karnes County. In his complaint, Plaintiff challenges conditions relating to his confinement. Specifically, Plaintiff alleges he was physically assaulted at his current unit on April 22, 2021. (D.E. 1). Plaintiff previously filed a civil action with this Court, Case No. 2:21-cv-11, which was appropriately transferred to the Western District of Texas as neither Plaintiff nor his complaints have any connection to this District.

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1331(b). In addition, for the convenience of parties and witnesses, and in the interest of justice, a district court may

transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. § 1404(a).

In this case, the events about which Plaintiff complains occurred in Karnes County, Texas. None of the Defendants reside or are found in the Corpus Christi Division of the Southern District of Texas. Karnes County lies within the San Antonio Division of the Western District of Texas. 28 U.S.C. § 124(d)(4). Therefore, the interests of justice would be served by a transfer to the San Antonio Division of the Western District of Texas. Accordingly, it is **ORDERED** that this case be transferred to the United States District Court for the Western District of Texas, San Antonio Division. All pending motions are **DENIED as moot** subject to re-filing after the case is transferred. The Clerk of Court is directed to **CLOSE** this case.

Plaintiff is advised not to file any additional writs or civil actions with this Court unless such cases have a connection, as stated above, with the Southern District of Texas, Corpus Christi Division. Failure to comply with this Order will result in the imposition of sanctions.

ORDERED this 24th day of May, 2021.

*Jason B. Libby*  
Jason B. Libby  
United States Magistrate Judge